



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/915,433	07/26/2001	Rick Allen Hamilton II	AUS920010556US1	7376

35525 7590 04/20/2005

IBM CORP (YA)
C/O YEE & ASSOCIATES PC
P.O. BOX 802333
DALLAS, TX 75380

EXAMINER

TRAN, QUOC A

ART UNIT	PAPER NUMBER
----------	--------------

2176

DATE MAILED: 04/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/915,433

Applicant(s)

HAMILTON ET AL.

Examiner

Quoc A. Tran

Art Unit

2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 March 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is responsive to Amen mend A filed 03/14/2005.
2. Claims 1-24 are pending. Claims 1, 8, 11-13, 20 and 23-24 are independent claims.

Specification

3. The title of the invention is not descriptive objection has been withdrawn since correction made.

Claim Rejections - 35 USC § 112

4. Claims 1, 5, 7, 11, 13, 17, 19 and 23, rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claims invention has been withdrawn since correction made.

5. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 5,10, 17 and 22 rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to

one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. There are new matters in claims. Evidence that claim 1 fail(s) to correspond in scope with that which applicant(s) regard as the invention can be found in the reply filed 03/14/2005. In that paper, applicant has stated:

... cumulative rating of the particular web page is 100 percent minus the probability that the particular web page is irrelevant, and wherein the probability that the particular web page is irrelevant is determined by multiplying differences between 100 percent and each of the set of weighted associative terms, see claim 5 pages 3-4, and claim 10 pages 4-5, and claim 17 pages 6-7, and claim 22 pages 8;

and these statements indicate that the invention is different from what is defined in the claim(s) because: In the specification filed 07/26/2001 on page 18, line 10 through page 18, line 15, Applicant provided example, such as a specially weighted coin, in which the probability of a heads event is 60 percent and described another example of the associates terms "wine" and "vintner" and "Bordeaux" , such as the statistical concepts are used in the generation of the P (cumulative) values. The probability of a candidate page being relative to the interests of the user is one minus the probability that it is irrelevant. Consider the previously mentioned "wine" example with its given P (aw) values. It may be stated that the relevance of a candidate page which does not contain the term "wine", but contains the associative terms "vintner" and "Bordeaux" would be given the P(cumulative) value of $[1-(1-0.95)(1-0.6)]$ or 98 percent, these statically value do not indication means for formula concept as stated in the newly amended claims 5,

10, 17 and 22. New matter has been added to claims 5,10,17 and 22. Clarification and/or correction are required.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. **Claims 1-4, 6-9, 11-16, 18-21 and 23-24, are rejected under 35 U.S.C. 103(a) as being unpatentable over Law et al. US Patent No. 6,754,873 B1 - filed 04/06/2000 (hereinafter '873), in view of Masters US 20020198875A1- filed 06/20/2001 (hereinafter '577).**

In regard to independent claim 1, "*processing a plurality of Web pages using the set of weighted associative terms to generate a plurality of cumulative ratings in which each Web page within the plurality of Web pages has a cumulative rating*", as taught by '873 at col. 7, lines 20-35 (i.e... The list of related web pages can be generated from the forward link set according to the score of the web pages. In other words, the score is an indication of the relatedness to the selected web page and the higher the score, the more related the web page is... The displayed list of related web

pages can be a predetermined number of the most highly related web pages, web pages that have a score greater than a threshold or any other way of selecting a number of related web pages to display...);

"and selecting the Web page as a Web page having a selected cumulative rating greater than a threshold", as taught by '873 at col. 6, lines 10-30 (i.e... FIGS. 5 and 6 ... the techniques are used in conjunction to generate an accurate list of related web pages. The techniques can be combined by multiplying all the values for a given link in order to determine the final value for the link. As an example, the following table shows the scores that would be generated for each of the web pages of forward link set 218 utilizing this technique: Web Page Links Score ... One or more of these techniques can also be combined with a measure of text-based similarity of the web pages...);

"wherein the cumulative rating for a particular Web page within the plurality of Web pages is based on the set of weighted associative terms", as taught by '873 at col. 5, line 64 through col. 6, line 25 (i.e... FIG. 6 shows a technique in which to reduce the importance of the individual links from a web page with relatively many links. In order to reduce the value for each link from a web page with many links... FIGS. 5 and 6 ... the techniques are used in conjunction to generate an accurate list of related web pages...

Web Page	Links	Score
213	$(1/2) + (1/4)$	0.75
214	$(1/4) + (1/3 * 1/2)$	0.415
215	$(1/4) + (1/3 * 1/2)$	0.415
216	$(1/4) + (1/3 * 1/2)$	0.415 ...

One or more of these techniques can also be combined with a measure of text-based similarity of web pages...).

'873 does not explicitly teach, "*receiving at least one user interest term*", however as taught by '875 at page 1, paragraph [0007] (i.e... establishing a first search criterion associated with a keyword match between a keyword entry and the identified documents, establishing at least one additional search criterion based on a document attribute of the identified documents...);

"identifying associative terms, wherein associative terms are associated with the at least one user interest term", however as taught by '875 at page 1, paragraph [0007] (i.e... establishing a first search criterion associated with a keyword match between a keyword entry and the identified documents, establishing at least one additional search criterion based on a document attribute of the identified documents...);

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified '875 into '873 to provide a way, wherein receiving at least one user interest term; then identifying associative terms, wherein associative terms are associated with the at least one user interest term; wherein weighting the associative terms in response to an identification of the associative terms to form a set of weighted associative terms base on specified probabilities that the associative terms are relative to the at least one user interest term . One of the ordinary skills in the art would have been motivated to perform such a modification to provide a word-based search engines, which could allowed users to enter words, phrases, and other search criteria so that the search engine can retrieve the

hyperlinked documents that best match the user's search criteria with great flexibility, as taught by '873 at col. 1, lines 35-40 (i.e... Word-based search engines allow a user to enter words...).

'873 and '875 do not explicitly teach, “weighting the associative terms in response to an identification of the associative terms to form a set of weighted associative terms base on specified probabilities that the associative terms are relative to the at least one user interest term”, however as taught by '053 at col. 2, lines 25-45 (.... relevance ranking of search results from a query on a collection of items of information... This module has an output for providing an indication of a score indicative of relevance for each of the items in the set of search results...).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified '053 into '873 and '875 to provide a way, wherein identifying associative terms; weighting the associative terms in response to an identification of the associative terms to form a set of weighted associative terms. One of the ordinary skills in the art would have been motivated to perform such a modification to provide a word-based search engines, which could allowed users to enter words, phrases, and other search criteria so that the search engine can retrieve the hyperlinked documents that best match the user's search criteria with great flexibility, as taught by '873 at col. 1, lines 35-40 (i.e... Word-based search engines allow a user to enter words...).

In regard to dependent claim 2, “presenting the Web page”, as taught by '873 at col. 4, lines 10-20 (i.e... respect to web pages...).

In regard to dependent claim 3, *"selecting another Web page from the plurality of Web pages if the another Web page has a cumulative rating greater than the threshold"*, as taught by '873 at col. 7, lines 20-35 (i.e... The list of related web pages can be generated from the forward link set according to the score of the web pages. In other words, the score is an indication of the relatedness to the selected web page and the higher the score, the more related the web page is...The displayed list of related web pages can be a predetermined number of the most highly related web pages, web pages that have a score greater than a threshold or any other way of selecting a number of related web pages to display...).

In regard to dependent claim 4, *"wherein the method is implemented in a browser program"*, as taught by '873 at col. 2, lines 5-15 (i.e... The invention can be utilized any number of ways including as an additional feature for a word-based search engine or as an addition on a web browser ...).

In regard to dependent claim 7, *"the associative terms are identified from web page selected by a user"*, as taught by '873 at col. 7, lines 10-15 (i.e... when the user asks for a list of related web pages for the selected web page ...).

In regard to dependent claim 6, *"wherein the data structure is a database"*, as taught by '053 at col. 3, lines 15-25 (i.e... database 102 which is queried by a database query engine 104 in response to a search query 106...).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified '053 into '873 to provide a way, wherein the associative terms are identified using terms stored in a data structure, which a

database. One of the ordinary skills in the art would have been motivated to perform such a modification to provide a word-based search engines, which could allowed users to enter words, phrases, and other search criteria so that the search engine can retrieve the hyperlinked documents that best match the user's search criteria with great flexibility, as taught by '873 at col. 1, lines 35-40 (i.e... Word-based search engines allow a user to enter words...).

In regard to independent claim 8, incorporate substantially similar subject matter as cited in claim 1 above, and further view of the following, and is similarly rejected along the same rationale.

"selecting a document from a group of documents using the weighted set of terms", as taught by '873 at col. 2, lines 15-25 (i.e... generating lists of hyperlinked documents that are related to a given or selected hyperlinked document... A first set of hyperlinked documents that have a forward link to the selected hyperlinked document is provided... Additionally, a second set of hyperlinked documents that are pointed to by the forward links in the hyperlinked documents in the first set is provided... the related hyperlinked documents are displayed in an order based on their score...).

'873 does not explicitly teach, *"assigning weights to a set of terms, wherein the set of terms is associated with at least one particular term of interest and wherein each term within the set of terms is associated with a weight to form a weighted set of terms; and selecting a document from a group of documents using the weighted set of terms"*, however as taught by '053 at col. 3, lines 40-55 (i.e... a relevance determination module 112 receives the search results 110 from the database query engine 104 and applies

pre-specified relevance factors 114 to each of the corresponding items in the search results 110 to obtain scored search results 116. In particular, each of the items in the search results 110 has a set of attributes associated with it, which the module 112 may use the database 102 to access and identify if such information is not made available in the search results 110. Each of these attributes is given a weight according to the specified relevance factors 114. These weights are combined to provide a score for each item. The scored search results are sorted by sorting module 118 to provide ranked results 120 which are provided to a user interface 122 to be output to the user...);

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified '053 into '873 to provide a way, wherein assigning weights to a set of terms, wherein the set of terms is associated with a particular term of interest and wherein each term within the set of terms is associated with a weight to form a weighted set of terms; and selecting a document from a group of documents using the weighted set of terms. One of the ordinary skills in the art would have been motivated to perform such a modification to provide a word-based search engines, which could allowed users to enter words, phrases; and other search criteria so that the search engine can retrieve the hyperlinked documents that best match the user's search criteria with great flexibility, as taught by '873 at col. 1, lines 35-40 (.i.e... Word-based search engines allow a user to enter words...).

In regard to dependent claim 9, "*presenting the document*", as taught by '873 at col. 4, lines 10-20 (i.e... respect to web pages...).

In regard to independent claim 11, is directed to a system for performing the method of claim 1 and is similarly rejected along the same rationale.

In regard to independent claim 12, is directed to a system for performing the method of claim 8 and is similarly rejected along the same rationale.

In regard to claims 13-16, and 18-19 consecutively, are directed to a system for performing the method of claims 1-6 consecutively and are similarly rejected along the same rationale.

In regard to claims 20-21 consecutively, are directed to a system for performing the method of claims 8-9 consecutively and are similarly rejected along the same rationale.

In regard to claims 23-24, are directed to a computer program product for performing the method of claims 1, 8 and are similarly rejected along the same rationale.

Response to Argument

8. Examiner has completed a through study of Applicant's Amendments of 03/14/2005; especially, Applicant's amendments to claims 1, 5, 7, 8, 10-13, 17, 19-20 and 22-24 and remarks at pages 10-18.

9. As for amended claims 1, 5, 7, 8, 10-13, 17, 19-20 and 22-24 have been fully considered but are moot in view of the new ground(s) of rejection. The Amendment to the independent claims 1, 8, 11-13, 20, 23 and 24 affected the intervened dependent claims 2-4, 6, 9, 14-16, 18 and 21, there for they are moot in view of the new ground(s) of rejection.

Conclusion

10. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quoc A. Tran whose telephone number is (571) 272-4103. The examiner can normally be reached on Monday through Friday from 8:30AM to 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H. Feild can be reached on (571) 272-4090. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for

Art Unit: 2176

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>.

Should you have questions on access to the Private PAIR system, contact the

Electronic Business Center (EBC) at 866-217-9197 (toll-free).



SANJIV SHAH
PRIMARY EXAMINER

Quoc A. Tran

Patent Examiner

Technology Center 2176

April 15, 2005